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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/480,861	01/11/2000	Hiroki Yonezawa	35.C14173	4852
5514	7590	08/29/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			AN, SHAWN S	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 08/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/480,861	Applicant(s) YONEZAWA ET AL.	
	Examiner Shawn S. An	Art Unit 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-22,32,36 and 38-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-22,32,36 and 38-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Amendment

1. As per Applicant's instructions as filed on 5/03/05, claims 15-16, 21, 32, and 36 have been amended, claims 1-14, 23-31, 33-35, and 37 have been canceled, and claims 39-41 have been newly added.

Response to Remarks

2. Applicant's arguments with respect to amended claims as above have been carefully considered but are moot in view of the new ground(s) of rejection incorporating the previously cited prior art (Kawai et al).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 15-22, 32, 36, and 38 are rejected under 35 U.S.C. 102(e) as being anticipated by Kawai et al (6,680,746 B2).

Regarding claims 15, 32, and 36, Kawai et al discloses a communication medium which stores a computer program (Fig. 1, elements 24, 26), a

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communication method, and a communication apparatus connected to at least one camera and other communication apparatus, comprising:

- a management device (Fig. 1, 20) that manages a map image (Fig. 1, 28; Fig. 2) representing a location at which the at least one camera is disposed, wherein the map image is identically used by a plurality of communication apparatus (Fig. 6);

- a reception device (Figs. 1 and 46, element 22) for receiving the information concerning the state of at least one camera (10-1);

- a processing device (Fig. 4, S14-S15) that changes the map image in accordance with the received information concerning the state of the camera;

- a second reception device that receives a request to transmit the map image, from a communication apparatus included in the plurality of communication apparatuses via a network (col. 9, lines 41-54); and

- a transmission device (Figs. 1 and 46, 36) for transmitting the map image processed by the processing device to the communication apparatus, which requests the map image, via the network (col. 25, lines 40-58).

Regarding claim 16, Kawai et al discloses one monitor (28) receiving image data taken by the at least one camera (10-1).

Regarding claim 17, Kawai et al discloses a display map screen representing a location at which the camera is disposed (Fig. 2).

Regarding claim 18, Kawai et al discloses a map concerning a photographing range of the at least one camera (Fig. 2, 46; Fig. 49, 88).

Regarding claim 19, Kawai et al discloses an information concerning a zooming state of the at least one camera (46 and 88).

Regarding claims 20-21, Kawai et al discloses communication apparatus being integrally provided with one of the at least one camera (Figs. 1 and 46, 10) and at least one monitor (28).

Regarding claim 22, Kawai et al discloses transmission means transmitting the map image in correspondence with the change of the state of the one camera (abs.).

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Regarding claim 38, Kawai et al discloses the processing device including a bitmap image file (bit-map file) (Fig. 53; col. 30, lines 4-17).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawai et al (6,680,746 B2).

Regarding claim 39, Kawai et al discloses bit map being included in a file (Fig. 53, 5301) and the file transfer to another communication apparatus (col. 25, lines 20-25; col. 30, lines 4-17).

Therefore, it would have been obvious for the communication apparatus to receive a request for file transfer so as to transfer the file to another communication apparatus upon the request.

Regarding claim 40, Kawai et al discloses the file including at least one of camera symbols, and kind of cameras (col. 2, lines 34-46; col. 1, lines 11-20).

Regarding claim 41, the Examiner takes official notice that communication apparatus such as a web server and/or a web browser is well known in the art for providing storage/transmission of data via a network such as Internet, and for requesting/sending data from an Internet web page.

Therefore, it would have been obvious to utilize the web server and web browser as an efficient way to receive/transmit data via the Internet (world wide web) from/to a plurality of remote clients, respectively.

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Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Shawn S. An* whose telephone number is 571-272-7324.

9. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Please note a new fax number.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


SHAWN AN
PRIMARY EXAMINER

8/25/05